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Attorneys For Defendants
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 Fund SPC, Ltd.; and John H. Burbank III

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

FRANKLIN ENTERPRISES, INC., a
 Liberia company,
 Plaintiff,
 vs.
 PASSPORT CAPITAL, LLC, a
 Delaware limited liability company;
 PASSPORT MANAGEMENT, LLC, a
 Delaware limited liability company;
 PASSPORT ENERGY FUND, LTD., a
 British Virgin Islands business
 company; PASSPORT ENERGY
 MASTER FUND SPC, LTD., a British
 Virgin Islands segregated portfolio
 company; and JOHN H. BURBANK III,
 an individual,
 Defendants.

Case No. C 08-4797 SI


**[PROPOSED] ORDER DISMISSING
 ACTION WITH PREJUDICE**

Hon. Susan Illston
 Ctrm 10, 19th Floor

Action Filed: October 20, 2008
 Trial Date: March 1, 2010

1 Pursuant to the parties' Stipulation of Dismissal With Prejudice Pursuant to
2 Fed. R. Civ. P. 41(a)(1)(A)(ii) filed May 19, 2009, it is hereby ORDERED,
3 JUDGED, AND DECREED that the above-captioned action is dismissed with
4 prejudice in its entirety and against all parties, each party to bear its own costs and
5 expenses, including attorneys' fees.
6

7 5/19/09
8 Dated: _____



HONORABLE SUSAN ILLSTON
United States District Court Judge